

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ROBERT WAYNE MITCHELL,**

**Defendant.**

**Case No. CR-21-141-CBG**

**ORDER**

Now before the Court is the Government's Motion for Leave to Dismiss (Doc. No. 68), requesting that the Court dismiss without prejudice the charges against Defendant Robert Wayne Mitchell pending in this matter. The Government states that the District Court for Seminole County, Oklahoma, has reinstated Defendant's state-court convictions and sentence based on the same criminal conduct alleged in this federal case. The Government states that Defendant does not object to this Motion.

Having considered the Government's argument and the facts presented, the Court finds that dismissal is in the public interest and that the Motion should be and is hereby GRANTED. *See* Fed. R. Crim. P. 48(a); *Rinaldi v. United States*, 434 U.S. 22, 29 n.15 (1977); *United States v. Romero*, 360 F.3d 1248, 1251 (10th Cir. 2004).

IT IS THEREFORE ORDERED that the Indictment (Doc. No. 7) and the Superseding Indictment (Doc. No. 33) are hereby DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 7th day of April, 2022.

  
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CHARLES B. GOODWIN  
United States District Judge